

OFFICE OF THE STANDING CHAPTER 13 TRUSTEE

6851 N.E. Loop 820, Suite 300

North Richland Hills, TX 76180-6608

(817) 770-8500

(817) 498-1362 FAX

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF TEXAS
FORT WORTH DIVISION

IN RE:

SARAH JANE THOMAS

DEBTOR

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CASE NUMBER: 24-41403-ELM

CHAPTER 13

JUDGE EDWARD L MORRIS

Hearing Date:

Thursday, March 6, 2025 at 8:30 AM

MOTION TO DISMISS WITH CERTIFICATION OF SERVICE AND
NOTICE OF COURT HEARING THEREON
(DELAY, PLAN INSUFFICIENT)

Now comes Tim Truman, Standing Chapter 13 Trustee and files this motion pursuant to Section 1307 (c) of the Bankruptcy Code and Bankruptcy Rule 9014, and would respectfully show unto the Court as follows: This case should be **DISMISSED** for the following cause:

1. Debtor has caused an unreasonable delay prejudicial to creditors per 11 U.S.C. 1307(c)(1).
2. The Plan appears to be insufficient. The Plan provides for a base amount of \$108,850.00.
3. As of this date, in order to provide the Trustee sufficient funds to pay all allowed claims provided for by the Plan and related fees and expenses, the Plan should provide for a base amount of at least \$112,110.00.

WHEREFORE, your Trustee prays that after notice and hearing, this Chapter 13 case be **DISMISSED**.

/s/ Tim Truman

Tim Truman, Trustee/State Bar # 20258000

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NOTICE OF COURT HEARING TO THE DEBTOR AND DEBTOR'S ATTORNEY OF RECORD:

You are hereby notified of the filing of the foregoing Trustee's Motion to Dismiss with Certification of Service and Notice of Court Hearing Thereon. Any written objection or response to the proposed MOTION timely filed with the Court and not resolved will be heard by the Court at **8:30 AM, on Thursday, March 6, 2025, Room 204 U.S. Courthouse, 10th and Lamar St., Fort Worth, Texas**, or by WebEx at: **<https://us-courts.webex.com/meet/Morris>, Meeting ID: 2309 445 3213** **(for Telephone Dial-In 1-650-479-3207).**

THE DEADLINE FOR FILING AN OBJECTION TO THE MOTION TO DISMISS IS ON OR BEFORE Feb 10, 2025. YOU DO NOT HAVE TO ATTEND THE COURT HEARING UNLESS YOU OPPOSE DISMISSAL OF THE CASE. ALL PAYMENTS DUE THROUGH THE DATE OF THE COURT HEARING MUST BE PAID CURRENT BY THE COURT HEARING DATE IN ORDER FOR THE TRUSTEE TO WITHDRAW THIS MOTION TO

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Trustee's "Motion to Dismiss with Certification of Service and Notice of Court Hearing Thereon" have been served on the parties listed below in the manner listed below on or before 01/16/2025.

/s/ Tim Truman

Tim Truman, Trustee/State Bar # 20258000

BY FIRST CLASS MAIL:

SARAH JANE THOMAS, 2945 CR 405, ALVARADO, TX 76009-0000

ELECTRONIC SERVICE:

BRYEANS AND GARCIA PLLC, 5001 S COOPER ST #209, ARLINGTON, TX 76017

PERDUE BRANDON FIELDER COLLINS AND MOTT, 500 E BORDER ST #640, ARLINGTON, TX 76010

United States Trustee, 1100 COMMERCE STREET, ROOM 976, DALLAS, TX 75242